

CITY COUNCIL AGENDA

NOVEMBER 20, 2001

2001 ANNUAL REVIEW OF THE GENERAL PLAN

SYNOPSIS

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER
GEORGE SHIRAKAWA, JR.
DAVID D. CORTESE
JOHN DIQUISTO
PAT DANDO

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support Services** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Economic and Neighborhood Development** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- **Recreation and Cultural Services** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Transportation Services** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- **Environment and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Aviation Services** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- **Public Safety Services** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

1. **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item/s that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
3. Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
4. To assist you in tracking your speaking time, there are three lights located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

- **Call to Order and Roll Call**
7:00 p.m. – Public Hearings, Council Chambers, City Hall
Absent: Council Member Dando (excused)

Documents relating to the 2001 Annual Review of the General Plan were available for inspection at the Press Table during the evening of the meeting in the Council Chambers, City Hall.

Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

1 CONSENT CALENDAR

1.1 General Plan Amendment change for property located on the south side of Pegasus Way at the terminus of Adelong Way.

Recommendation: General Plan Amendment request to change the General Plan Land Use/Transportation Diagram designation from Medium Low Density Residential (8 DU/AC) to Private Open Space on 0.2 acre and Public Park/Open Space on 1.5 acres for property located on the south side of Pegasus Way at the terminus of Adelong Way on a 1.7 acre site. (Staff, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GP01-02-03 – District 2

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

1.2 General Plan Amendment change for property located for the area generally bounded by Palm Valley Boulevard, Palmia Drive, Primrose Drive, and La Strada Drive.

Recommendation: General Plan Amendment request to change the Land Use/Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) to Public Park/Open Space for property generally bounded by Palm Valley Boulevard, Palmia Drive, Primrose Drive, and La Strada Drive on a 4.2 acre site. (Staff, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GP01-02-04 – District 2

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

1 CONSENT CALENDAR

1.3 General Plan Amendment change for property located on the northwest corner of Santa Teresa Boulevard and Miyuki Drive.

Recommendation: General Plan Amendment request to change the Land Use/Transportation Diagram designation from Medium Density Residential (8-16 DU/AC) to Public Park/Open Space for property located on the northwest corner of Santa Teresa Boulevard and Miyuki Drive on a 5.7 acre site. (Staff, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GP01-02-05 – District 2

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

1.4 General Plan Text Amendment change to make minor corrections and modifications to General Plan Text.

Recommendation: General Plan Text Amendment change to make minor corrections and modifications to the General Plan Text. (Staff, Applicant). CEQA: Supplemental Environmental Impact Report for Edenvale Development Policy Area Resolution No. 70021. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GP01-T-01 – District 2

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

1.5 General Plan Text Amendment change to incorporate Green Building Principles citywide.

Recommendation: General Plan Text Amendment change to incorporate Green Building Principles. (City Council, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

GP01-T-12 – Citywide

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

1.6 General Plan Text Amendment change to strengthen pedestrian and related policies.

Recommendation: General Plan Text Amendment change to strengthen pedestrian and related policies. (City Council, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

GP01-T-34 – Citywide

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

1 CONSENT CALENDAR

1.7 General Plan Text Amendment change to modify the Transportation Bicycle Diagram Network.

Recommendation: General Plan Text Amendment to modify the Transportation Bicycle Diagram Network to add additional planned bicycle transit corridors. (Staff, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1). **GP01-T-36** - Citywide

Staff and Planning Commission recommendation was tentatively approved with the Department of Transportation directed to add to the “Proposed Text Amendment” and the “Transportation Bicycle Network Diagram” existing bicycle lanes on Hostetter Road east of Morrill Avenue; and to add to the “Transportation Bicycle Network Diagram” the segment of bicycle trail on Penitencia Creek Road between Highway-680 and Piedmont Road. Vote: 10-0-1-0. Absent: Dando.

END OF CONSENT CALENDAR

2 PUBLIC HEARINGS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended, or speak to the question of deferring these or any other items, you should say so at this time.

2.1 PUBLIC HEARING on General Plan Amendment change from Rural Residential (0.2 DU/AC) within the Coyote Greenbelt Overlay.

Recommendation: PUBLIC HEARING on General Plan Amendment request to change the General Plan Land Use/Transportation Diagram designation from Rural Residential (0.2 DU/AC) within the Coyote Greenbelt Overlay on a 643 acre site. (Staff, Applicant). **Area A:** Northeastly corner of Monterey Highway and Ogier Avenue, approximately 800 feet south of Palm Avenue on a 43 acre site.

Area B: Southwesterly side of Monterey Highway, between Miramonte Avenue and Willow Springs Road, and both sides of Santa Teresa Boulevard on a 600 acre site.

CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

GP01-02-02 – District 2

Staff and Planning Commission recommendation was tentatively approved. Vote: 10-0-1-0. Absent: Dando.

2 PUBLIC HEARINGS

2.2 PUBLIC HEARING and adoption of a Resolution of Findings for the KYCY AM Radio Transmitter Facility Environmental Impact Report.

Recommendation: PUBLIC HEARING and adoption of a resolution of certain findings concerning mitigation measures, adopting a mitigation monitoring and reporting program, making findings concerning alternatives, and adopting a statement of Overriding Considerations for the KYCY AM Radio Transmitter Facility Environmental Impact Report for the KYCY AM Radio Transmitter Facility General Plan Amendments (GP00-04-01, GP00-T-13, and GP00-T-14) to change the San Jose 2020 General Plan and the Alviso Master Plan designation from Private Open Space with a Solid Waste Disposal Site Overlay to Public/Quasi-Public on the Newby Island Landfill site, located immediately northwest of Interstate 880 and Dixon Landing Road, to allow the construction of a 50 kilowatt (KW) AM transmitting antenna facility. The proposed amendments will include two related amendments in the Alviso Master Plan describing the Public/Quasi-Public land use designation and allowing 400 foot communication towers at the Newby Island Landfill site. The project includes subsequent planning permits to allow construction of the facility. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

Dropped.

2.3 PUBLIC HEARING on General Plan Land Use and Text Amendments change for property located on Newby Island approximately 2000 feet northwest of Dixon Landing Road.

The items being considered are on property located on the Newby Island Landfill site approximately 2000 feet northwest of Dixon Landing Road on a 10 acre site. (Infinity Broadcasting, Owner/Berliner Cohen, Applicant). CEQA: Resolution to be adopted.

- (a) **Recommendation:** PUBLIC HEARING on General Plan Amendment request to change the General Plan Land Use/Transportation Diagram designation from Private Open Space to Public/Quasi-Public (for radio transmission towers) (Alviso Planned Community). CEQA: Resolution to be adopted. Director of Planning, Building and Code Enforcement and Planning Commission recommend no change to the General Plan. (6-1-0).

GP00-04-01 – District 4

Dropped.

- (b) **Recommendation:** PUBLIC HEARING on General Plan Text Amendment to modify the Urban Design Policies to allow communication structures at a height of 400 feet, and make associated amendments to the Alviso Master Plan. CEQA: Resolution to be adopted. Director of Planning, Building and Code Enforcement and Planning Commission recommend no change to the General Plan (6-1-0).

GP00-T-13 – District 4

Dropped.

2 PUBLIC HEARINGS

2.3 PUBLIC HEARING on General Plan Land Use and Text Amendments change for property located on Newby Island approximately 2000 feet northwest of Dixon Landing Road – (Cont'd.)

- (c) **Recommendation:** PUBLIC HEARING on General Plan Text Amendment request to modify the Public/Quasi-Public designation to allow freestanding communication structures, and make associated amendments to the Alviso Master Plan. CEQA: Resolution to be adopted. Director of Planning, Building and Code Enforcement and Planning Commission recommend no change to the General Plan (6-1-0).

Dropped.

2.4 PUBLIC HEARING on General Plan Text Amendment change to revise the Transportation Level of Service Policy.

Recommendation: PUBLIC HEARING on General Plan Text Amendment change to revise the Transportation Level of Service Policy. (City Council, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

GP00-T-17 - Citywide

Staff recommendation was tentatively approved with Staff directed to prepare revisions to City Council Policies 5-3 and 5-4, conduct public outreach, and return to Council as soon as practically possible.

Vote: 8-2-1-0. Noes: LeZotte, Yeager. Absent: Dando.

2.5 PUBLIC HEARING on General Plan Text Amendment change to increase the number of General Plan hearings per year.

Recommendation: PUBLIC HEARING on General Plan Text Amendment change to increase the number of General Plan hearings per year. (City Council; Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

GP01-T-32 – Citywide

Council tentatively approved recommendation contained in the 11/20/01 memorandum from Mayor Gonzales to (a) increase the number of General Plan hearings held each year to three, and (b) to direct Staff to report back to Council in January 2002 with an analysis of the total number of General Plan applications for the four-year period 1999-2002 and their impact on the Staff workload. Vote: 10-0-1-0. Absent: Dando.

2 PUBLIC HEARINGS

2.6 PUBLIC HEARING on General Plan Amendment change to modify the purpose of the Urban Reserve triggers for the Central Coyote Valley.

Recommendation: PUBLIC HEARING on General Plan Amendment change to modify the purpose of the Urban Reserve triggers for the Central Coyote Valley. (City Council, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends no change to the General Plan (4-3-0).

GP01-T-33 - District 2

Staff recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

2.7 PUBLIC HEARING on General Plan Text Amendment change to reflect additional changes to the Housing Element citywide.

Recommendation: PUBLIC HEARING on General Plan Text Amendment change to reflect additional changes to the Housing Element. (Staff, Applicant). CEQA: San Jose 2020 General Plan E.I.R. Resolution No. 65459. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (7-0-0).

GP01-T-39 – Citywide

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

2.8 PUBLIC HEARING on General Plan Text Amendment change to modify the definition of River Commercial in the Alviso Master Plan.

Recommendation: PUBLIC HEARING on General Plan Text Amendment to modify the definition of River Commercial in the Alviso Master Plan. (City Council, Applicant). CEQA: Alviso Master Plan E.I.R. Resolution No. 68577. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends no change to the General Plan. (6-1-0)

GP01-T-40 - District 4

The recommendation as proposed by Council Member Reed in the 11/20/01 memorandum was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

2.9 Initiation of an Area Development Policy for the Coleman corridor.

Recommendation: Initiation of an Area Development Policy for the Coleman corridor located in the area generally extending from the City of Santa Clara, south to Highway 87, bounded by Coleman Avenue and Walnut Street to the east, and by the Union Pacific Railroad line (between Highway 87 and Taylor Street) to the west. (Staff, Applicant). Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

Staff and Planning Commission recommendation was tentatively approved.

Vote: 10-0-1-0. Absent: Dando.

2 PUBLIC HEARINGS

2.10 Adoption of a resolution approving the tentative City Council actions regarding the Fall 2001 General Plan amendments.

Recommendation: Adoption of a resolution finalizing the tentative actions made by the City Council on the Fall 2001 Annual Review of the General Plan and amending the General Plan in conformance herewith.

Resolution No. 70720 adopted.

Council approved the subject actions regarding the Fall 2001 General Plan Amendments with clarification for GP 00-T-09 and GP 01-T-27 – “*Building heights are defined by the air space requirements of the San José International Airport as established by the Federal Aviation Administration (FAA)*” – and with direction to Staff to bring GP 01-07-02 to the first General Plan Hearing in 2002.

Vote: 10-0-1-0. Absent: Dando.

2.11 Review and approval of Annual Report on the Status of the General Plan.

Recommendation: Review and approval of Annual Report on the Status of the General Plan.

Council accepted the Annual Report on the status of the General Plan required pursuant to Assembly Bill 1678.

Vote: 10-0-1-0. Absent: Dando.

- **Open Forum**

- **Adjournment**

The meeting was adjourned at 10:40 p.m.